

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY ALLTEL, INC.)	
FOR A CERTIFICATE THAT PUBLIC CONVENIENCE)	
AND NECESSITY REQUIRE THE ACQUISITION BY IT)	CASE NO.
OF A NEW FRANCHISE FOR THE USE OF PUBLIC)	2005-00334
RIGHTS-OF-WAY IN THE TERRITORIAL LIMITS)	
OF THE CITY OF MIDWAY, KENTUCKY)	

O R D E R

On August 15, 2005, Kentucky ALLTEL, Inc. ("ALLTEL") filed with the Commission its application for a Certificate of Convenience and Necessity that there is a demand and need for local telephone service in the city of Midway, Kentucky. Said certificate is required to permit ALLTEL to acquire a franchise offered for sale by the city. Under the provisions of KRS 278.020(4), no utility may apply for a franchise from any governmental agency until it has obtained a Certificate of Convenience and Necessity from this Commission based on our finding that there is a need and demand for the service sought to be rendered.

The Commission determines that there is evidence of a need and demand for telecommunications service in the above-mentioned city. Since the Commission's authority in such matters is limited by statute to finding only whether there is a need and demand for the service sought to be rendered, no finding or determination is made as to the qualifications of the bidder, the validity of any of the provisions of the franchise offered by said city, or the manner in which any franchise fee is to be treated for rate purposes.

IT IS THEREFORE ORDERED that:

1. ALLTEL is granted a Certificate of Convenience and Necessity that there is a demand and need for local telephone service in the above-mentioned city.
2. ALLTEL, if it becomes the successful bidder, shall file with this Commission two copies of the franchise agreement.
3. This Order shall not be construed as granting a Certificate of Convenience and Necessity to construct utility facilities in the said city.

Done at Frankfort, Kentucky, this 24th day of August, 2005.

By the Commission

ATTEST:



Executive Director

Case No. 2005-00334